

EXHIBIT 18

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November 21, 2007

VIA ELECTRONIC MAIL

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Re: Lyons Partnership, L.P., *et al.* v. Party Art Productions, Inc., *et al.*
Docket No. 07-7121 (LLS)

Dear Counsel:

We are in receipt of Mr. Pinnisi's November 20, 2007 letter to Judge Stanton requesting an extension of the period within which the depositions of Plaintiffs' investigators must take place and citing deficiencies in Plaintiffs' document production. I understand that Mr. Pinnisi did not obtain the other defendants' counsel's consent for his letter, nor have any other defendants' counsel substantively responded to the issues raised in his letter.

When our office called Judge Stanton's Chambers this afternoon regarding submitting a response, we were advised that if the parties were unable to resolve the issues raised in Mr. Pinnisi's November 20, 2007 letter, all parties are to appear for an **in person** conference before Judge Stanton this coming **Monday, November 26, 2007 at 4:00 p.m.**

Following that call, Mr. Pinnisi and I discussed the issues raised in his letter and came to a resolution on the following points:

- 1) Depositions - As Assistant District Attorney Horowitz advised me last night that she has a multi-day trial scheduled for Monday, November 26, 2007 and cannot appear for deposition on that date, we agreed to extend the time to produce plaintiffs' investigators into mid-December. Plaintiffs will work with Defendants' counsel to find a mutually agreeable date on which we will attempt to produce both investigators for deposition on the same day.

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- 2) Document Production – I advised Mr. Pinnisi that Plaintiffs produced all documents of which we are aware from Ms. Sherman's investigation of his clients after a reasonable inquiry.
- 3) Instructions – I confirmed to Mr. Pinnisi that the instructions given to the investigators were almost exclusively oral; however, I learned during witness preparation that the investigators saw a document with further instructions for the telephone investigations. I am producing that document, marked CONFIDENTIAL and Bates numbered Lyons/Party Art P0048 through P0055, herewith.

The remaining outstanding issue to be resolved from Mr. Pinnisi's letter is that he wants Plaintiffs to produce documents describing their investigation program other than the directions to the investigators, and if Plaintiffs assert such documents are privileged, Mr. Pinnisi wants a privilege log. Plaintiffs believe that the documents requested are outside of the documents that Judge Stanton directed Plaintiffs to produce at the November 9, 2007 Initial Conference, are privileged under the attorney/client privilege and/or attorney work product doctrine, and are totally irrelevant to this litigation. Accordingly, Plaintiffs' do not believe Defendants are entitled to such documents and see no need to produce a privilege log.

I advised Judge Stanton's Chambers of the discussion between Mr. Pinnisi and I and that most of the issues have been resolved with the exception of the issue described above. Judge Stanton's law clerk responded that the judge will keep the conference on the calendar for Monday afternoon unless we notify Chambers that the final issue has been resolved.

Mr. Pinnisi and I will discuss the issue further either on Friday or Monday morning.

Very truly yours,



Matthew A. Kaplan

MAK/ms
Enclosures
cc: Toby M.J. Butterfield, Esq.

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